

9 April 2002 Reduction-in-Force (RIF) Briefing

Questions and Answers – Civilian Personnel Advisory Center (CPAC – Fort Detrick) and Civilian Personnel Operation Center (CPOC - Aberdeen)

- 1. When will the USAG employees be able to review their Official Personnel Folder (OPF). How will CPAC ensure that all employees will be able to review their own OPF.**

A: Well in advance of the RIF Effective date, CPAC will arrange for OPFs to be brought on site to the Detrick CPAC office for employees to review. CPAC will provide a schedule to employees to inform them of when to come to the CPAC in order to review their OPF.

- 2. What is meant by “Best Offer”?**

A: An employee’s best offer through RIF is an offer into a position which, among other criteria:

- a. Is in the same competitive area as that of the employee’s current position.**
- b. Will last at least three months following the effective date of the RIF.**
- c. Is one for which the employee qualifies (unless a decision is made to waive qualifications for RIF placement into vacant positions).**
- d. Has a representative rate which requires no reduction, or the least possible reduction, in the representative rate of the employee’s current position.**
- e. Has the same type of work schedule as that of the employee’s current position.**
- f. Is either vacant, or is occupied by an employee with lower retention standing who is assigned either to the same competitive level, or if assigned to a different competitive level can be displaced through the provisions of bump or retreat.**

- 3. What is meant by “Representative Rate”?**

A: The representative rate of a position is a rate of pay considered to be representative of the position, regardless of the rate of pay actually earned by individual employees who may be assigned to the position. The representative rate is used, among other purposes, as one of the factors in identifying an employee’s best offer in RIF. The representative rate of General Schedule positions is always the basic rate of pay for the step 4 level of the grade to which the position in question is assigned. The representative rate of Federal Wage

System positions is always the basic rate of pay for the step 2 level of the grade to which the position in question is assigned.

4. Can a Permanent employee be placed into a TERM position during a RIF?

A: Yes. Upon placement into the term position, the permanent employee continues to retain the same status and tenure as that of the employee's former position (for example, IB, IIA, etc.), despite the fact that the employee has been placed through RIF into a term position. Upon expiration of the term position, the permanent employee placed in the position, if not otherwise able to be accommodated through appropriate procedures, will again be entitled to compete for retention through reduction in force procedures.

5. How are overhire positions handled in a RIF?

A: Overhire status is not a consideration during RIF. Overhire status employees compete in RIF equally with other employees who are not considered "overhire".

6. How are special requirements, such a "agility" for Police Officer positions handled when making placements in a RIF?

A: Placement through RIF requires that employees meet established qualification standards for the position in question (unless a decision is made to waive qualifications for RIF placement into vacant positions). Where positions require specified standards of physical ability in order to perform the duties of the position, these physical standards become a part of the established qualification standards for the position. Employees not able to meet these standards are determined to be disqualified for the position and are therefore unable to be placed through RIF into such positions.

7. Are Schedule "A" Appointments protected from RIF?

A: Schedule A employees who will be converted to the competitive service on or prior to the RIF effective date compete equally with other competitive service employees in the upcoming Ft. Detrick RIF. Schedule A employees who will not be converted to the competitive service on or prior to the RIF effective date will compete in the Ft. Detrick RIF only with other excepted service employees in the event that positions occupied by excepted service employees are identified for abolishment in the RIF.

8. How are employee status changes handled during the RIF process, for example, if a Career Conditional employee becomes a Career employee.

A: Employee status changes are anticipated and considered in the pre-planning stages of the RIF process. For example, employees who are schedule to be converted from career-conditional to career status on or prior to the RIF effective date compete in the RIF as career employees.

9. Are employees who have been assigned to a particular position due to medical accommodation “protected” or “exempt” from the impacts of RIF?
A: No. Employees compete in RIF based on the position to which permanently assigned, whether placement in the position occurred through the medical accommodation process or otherwise. Employees placed in their positions through the medical accommodation process compete equally with other employees in the RIF process, and will be considered for placement in other positions in the same fashion as other employees. As is the case in any placement action, whether through the RIF process or otherwise, reasonable accommodation for medical conditions will be practiced wherever possible.
10. Explain the “freeze” feature that is implemented prior to RIF.
A: Personnel actions are frozen at a specified date prior to the RIF effective date to permit RIF placement actions to be determined accurately and to minimize disruption within the workforce resulting from the RIF process. Exceptions to the freeze are able to be made for certain types of personnel actions, such as the promotion of employees assigned to formal training or developmental programs. Where actions are not able to be excepted from the freeze, such actions may if appropriate be taken on a temporary basis.
11. Are employees who have been assigned to a particular position via legal settlement “protected” or “exempt” from the impacts of RIF?
A: No. Unless specifically stated in the language of the settlement, such employees are not protected from RIF impact.
12. If I do not currently hold a SECRET clearance, can I be placed during a RIF into a position that requires a SECRET clearance?
A: Yes, unless management determines that obtaining the required clearance would cause an undue interruption in mission.
13. Are employees who are on Temporary Appointments impacted in RIF?
A: Management has the option as to whether they will retain or release temporary employees while the agency is undergoing a RIF. Temporary employees must be released before a competitive employee is released from the same competitive level. This does not mean that all temporary employees in all competitive levels must be terminated. Competitive service temporaries are not covered by OPM’s RIF regulations. Agencies often terminate temporaries prior to a RIF as a cost-savings measure and as a show of good faith to permanent employees that management is doing everything possible to avoid a RIF. The decision to terminate temporary employees should be based upon the circumstances of the RIF and the needs of the organization and not just a reflex reaction to having a RIF.
14. Summarize the main features of the VSIP II program.

A: If you have a RIF notice, and you are within 120 days of being involuntarily separated, your PPP registration will reflect that you are eligible for VSIP II. Another DOD employee in your area of referral (and qualifications) may be volunteering to retire or resign with incentive pay. You may be placed into that DOD employee's position, allowing that DOD employee to resign or retire with incentive pay.

15. Can an employee who is eligible for VERA, but who chooses to continue their Federal employment, request to be put on the PPP?

A: Yes. If the employee is impacted by RIF through either a Change to Lower Grade or Separation, employee will be a mandatory PPP registrant.

16. Define valid offer to an "available" position.

A: Several types of "valid" RIF offers may be able to be made to employee affected by RIF. One type of "valid" offer may be an offer made to an "available position". An available position is defined as a position which:

- a. Is in the same competitive area as that of the employee's current position.**
- b. Will last at least three months following the effective date of the RIF.**
- c. Is one for which the employee qualifies (unless a decision is made to waive qualifications for RIF placement into vacant positions).**
- d. Has a representative rate which requires no reduction, or the least possible reduction, in the representative rate of the employee's current position.**
- e. Has the same type of work schedule as that of the employee's current position.**
- f. Is occupied by a lower-standing employee in a different competitive level who can be displaced through the bump or retreat process.**

Other types of "valid" offers may include offers to vacant positions assigned to a competitive level other than that to which the affected employee is assigned, or to positions whether vacant or occupied which are assigned to the same competitive level as that to which the affected employee is currently assigned.

17. Define Discontinued Service Retirement.

A: An employee facing involuntary separation, in receipt of a RIF notice, may opt to elect for Discontinued Service Retirement (DSR). DSR does not include incentive pay. Requirements for DSR are similar to the requirements for Voluntary Early Retirement.

18. Define Voluntary Separation Incentive Pay (VSIP).

A: During an open window period, an employee may volunteer to resign or optionally retire with incentive pay in order to lessen the impact of a RIF. If the employee's request is approved, the employee receives up to \$25,000, or severance pay, whichever is less. Incentive pay is paid in a lump sum amount.

19. Define Voluntary Early Retirement Authority (VERA).

A: Voluntary Early Retirement Authority must be approved by DOD. During the open window period, an employee may volunteer for early retirement. Employee must meet the eligibility for early retirement. In most cases incentive pay (VSIP) is offered along with VERA.

20. Define BUMP.

A: Bumping is an employee's right of assignment to a position occupied by another employee in a lower tenure group, or in a lower tenure subgroup within the same tenure group, in another competitive Level in the same competitive area, and which is no more than three grades or grade intervals below the grade of the employee's current position.

21. Define RETREAT.

A: Retreat is an employee's right of assignment to a position which:

- a.** Is held by an employee in another competitive level with lower retention standing in the same tenure group and subgroup.
- b.** Is not more than three grades or grade intervals below the grade of the employee's current position (except that for a preference eligible employee with a compensable service-connected disability of 30 percent or more, the limit is five grades).
- c.** Is the same position as, or a position essentially identical to, a position formerly held by the employee on a permanent basis in a Federal agency.

22. Define RIF Notice Period.

A: Employees must receive a notice period of at least 60 calendar days prior to the effective date of a reduction in force. Other factors, such as bargaining unit agreements, for example, may increase this period.

23. When are employees, who will be Separated or Changed to Lower Grade as a result of RIF, able to register on PPP?

A: Mandatory PPP registration is scheduled upon receipt of RIF notice.

24. What are my State unemployment benefits when separated in a RIF?

A: You will need to contact your State unemployment office to receive accurate information with regard to your eligibility for State unemployment benefits.

25. What are the RIF rights for TERM employees?

A: Term employees affected by RIF have the right to displace lower-standing employees assigned to their same competitive level, but do not possess bump and retreat rights as defined above. Additionally, term employees may not be placed in vacancies through the RIF process, whether such vacancies are term in nature or otherwise.

26. How will the RIF impact employees who are competing for MEO positions that require immunization as a condition of employment?

A: Answer is pending further review by Civilian Personnel Operation Center (CPOC - Aberdeen) and Office of Personnel Management (Washington, D.C.)